

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>Evin King,</b>	)	<b>Case No. 1:18-CV-02353</b>
	)	
<b>Plaintiff,</b>	)	<b>Judge Dan Aaron Polster</b>
	)	
<b>vs.</b>	)	<b>Magistrate Judge Jonathan D. Greenberg</b>
	)	
<b>Robert Matuszny, <i>et al.</i>,</b>	)	<b><u>DEFENDANTS ESTATE OF ROBERT</u></b>
	)	<b><u>MATUSZNY, GREGORY KUNZ,</u></b>
<b>Defendants.</b>	)	<b><u>MICHAEL O'MALLEY, DENNIS</u></b>
	)	<b><u>GUNSCH, THOMAS MILLER,</u></b>
	)	<b><u>TIMOTHY ZBIKOWSKI AND CITY OF</u></b>
	)	<b><u>CLEVELAND'S JOINT MOTION FOR</u></b>
	)	<b><u>EXTENSION OF TIME TO FILE</u></b>
	)	<b><u>REPLY BRIEF TO PLAINTIFF'S</u></b>
	)	<b><u>OPPOSITION TO MOTIONS TO</u></b>
		<b><u>DISMISS</u></b>

Now come Defendants Estate of Robert Matuszny, Gregory Kunz, Michael O'Malley, Dennis Gunsch, Thomas Miller, Timothy Zbikowski ("police officer defendants") and the City of Cleveland and respectfully move this Honorable Court for an extension of time to file a Reply to Plaintiff's Opposition to Motion to Dismiss.

Due to the press of business, (i.e. counsel for defendants being in trial and out of town), defendants request additional time to respond to the numerous responses as set forth in Plaintiff's consolidated response to the Motions to Dismiss. This request is submitted in good faith and not for the purposes of unnecessary delay.

Therefore, Defendants respectfully request an extension of time up to and including June 14, 2019, to file a reply to Plaintiff's Response in Opposition to Motions to Dismiss.

Respectfully submitted,

/s/ Janeane R. Cappara (approved 5/23/19)

William M. Menzalora (0061136)  
Michael J. Pike (0074063)  
Janeane R. Cappara (0072031)  
City of Cleveland, Department of Law  
601 Lakeside Avenue, Room 106  
Cleveland, Ohio 44114  
Telephone: (216) 664-2800  
Facsimile: (216) 664-2663  
Email: [wmenzalora@city.cleveland.oh.us](mailto:wmenzalora@city.cleveland.oh.us)  
[mpike@city.cleveland.oh.us](mailto:mpike@city.cleveland.oh.us)  
[jcappara@city.cleveland.oh.us](mailto:jcappara@city.cleveland.oh.us)  
*Attorneys for Defendant, City of Cleveland*

/s Kenneth A. Calderone

Kenneth A. Calderone (0046860)  
John R. Chlysta (0059313)  
Anne M. Markowski (0069705)  
Hanna, Campbell & Powell, LLP  
3737 Embassy Parkway, Suite 100  
Akron, OH 44333  
Telephone: (330) 670-7324 / (330) 670-7305  
(330) 670-7601  
Facsimile: (330) 670-7440 / (330) 670-7442  
(330) 670-7456  
Email: [kcalderone@hcplaw.net](mailto:kcalderone@hcplaw.net)  
[jchlysta@hcplaw.net](mailto:jchlysta@hcplaw.net)  
[amarkowski@hcplaw.net](mailto:amarkowski@hcplaw.net)  
*Attorneys for Defendants Estate of Robert  
Matuszny, Gregory Kunz, Michael O'Malley,  
Thomas Miller, Timothy Zbikowski, and  
Dennis Gunsch*

**CERTIFICATE OF SERVICE**

This document was filed on May 23, 2019, using the Court's CM/ECF system, which will send notification of such filing to all parties. Parties may access this document through the Court's electronic filing system. Copies of this filing were mailed to the parties not on the Court's electronic filing system.

/s/ Kenneth A. Calderone

Kenneth A. Calderone (0046860)  
John R. Chlysta (0059313)  
Anne M. Markowski (0069705)  
*Attorneys for Defendants Estate of Robert  
Matuszny, Gregory Kunz, Michael O'Malley,  
Thomas Miller, Timothy Zbikowski, and Dennis  
Gunsch*

<<HCP #1051718-v1>>